



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Denial of Verified Claim(s) against the City of Lodi

**MEETING DATE:** July 19, 2006

**PREPARED BY:** Risk Management

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**RECOMMENDED ACTION:** That Council by motion action, deny the following verified Claim(s) filed against the City of Lodi.

(A) Amber L. Novak  
(B) Bethsaida Bahena  
(C) Janis Southard

Date of Loss: May 19, 2006  
Date of Loss: December 14, 2005  
Date of Loss: June 14, 2006

**BACKGROUND INFORMATION:** Following review of verified claims filed against the City of Lodi, the City's contract administrator, DB Claims and Human Resources staff, recommend the City deny the subject claim(s).

**FISCAL IMPACT:** N/A

**FUNDING AVAILABLE:** None Required

  
Kirk Evans, Risk Manager

Attachments

cc: City Attorney  
DB Claims

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**APPROVED:**   
Blair King, City Manager

CITY COUNCIL

SUSAN HITCHCOCK, Mayor  
BOB JOHNSON  
Mayor Pro Tempore  
LARRY HANSEN  
JOANNE MOUNCE  
JOHN BECKMAN

# CITY OF LODI

CITY HALL  
221 WEST PINE STREET, P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
HUMAN RESOURCES: (209) 333-6704  
FAX (209) 333-6816

BLAIR KING  
City Manager  
JENNIFER PERRIN  
Interim City Clerk  
STEPHEN SCHWABAUER  
City Attorney

## Notice of Claim Rejection July 20, 2006

RE: Claim against the City of Lodi  
Claimant: Amber L. Novak  
Date of Loss: 5/19/06  
Our Claim Number: 103506

Dear Claimant:


Notice is hereby given that the claim you presented to the City of Lodi on June 08, 2006 was rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

  
Jennifer Perrin  
Interim City Clerk

cc: City Attorney  
DB Claims  
Risk Management  
City Clerk

CITY COUNCIL

SUSAN HITCHCOCK, Mayor

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Notice of Claim Rejection

July 20, 2006

RE: Claim against the City of Lodi

Claimant: Bethsaida Bahena

Date of Loss: 12/14/05

Our Claim Number: 103706

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on June 13, 2006 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Jennifer Perrin  
Interim City Clerk

cc: City Attorney  
DB Claims  
Risk Management  
City Clerk

CITY COUNCIL

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City Attorney

## Notice of Claim Rejection

July 20, 2006

RE: Claim against the City of Lodi  
Claimant: Janis Southard  
Date of Loss: 6/14/06  
Our Claim Number: 103806

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on June 16, 2006 was rejected as of the date of this letter.

### Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,

  
Jennifer Perrin  
Interim City Clerk

cc: City Attorney  
DB Claims  
Risk Management  
City Clerk